

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of *Burbank et al.*) Examiner of Parent Application:
 For: **BREAST BIOPSY SYSTEM**) M. Hindenburg
AND METHODS) Group Art Unit: 3736
 Serial No.: 09/~~99~~²⁹371)
 Filed: August 13, 2001)
 Atty. Docket No.: R0367-00101) **TRANSMITTAL**

CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8

I hereby certify that this paper is being deposited in the United States Postal Service as first class mail, postage prepaid addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 9/10/03 in San Francisco, CA.

By: Duane Morris LLP

Anne Marie Levy

Mail Stop Non-Fee Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application is a Second Preliminary Amendment. Also enclosed is a Change of Correspondence Address.
2. Claim Fee Calculation

No additional claim fee is required.

Amendment increases number of claims or multiple dependencies.

Additional Claim Fee Calculation

| Description | Fee Category | Number of Claims | Fee Type | Fee Amount | Fee Basis |
|--------------------|--------------|------------------|----------|------------|-----------|
| Independent Claims | 2201 | 5 - 5 = | 0 x | \$42= | \$ 0 |
| Total Claims | 2202 | 26 - 26 = | 0 x | \$9= | \$ 0 |

Total Fees Due \$ -0-

3. Payment of Fees

Enclosed is a check for the total fees due in the amount of ____.

The Commissioner is authorized to charge any additional fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-00101.

By: Edward J. Lynch
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of) Examiner: D. J. McCrosky
Burbank et al.)
 For: BREAST BIOPSY SYSTEM AND) Group Art Unit: 3736
 METHODS)
 Serial No. 09/929,371)
 Filed: August 13, 2001)
 Docket. No.: R0367-00101)

COMMUNICATION

CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8

I hereby certify that these papers are being sent by facsimile to (703) 872-9306, addressed to Examiner David J. McCrosky, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 24, 2004, in San Francisco, CA.
 By: Edward J. Lynch

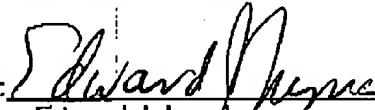
Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 via FACSIMILE

Dear Sir:

Pursuant to the Examiner's instructions in the March 24, 2004 telephonic communication, attached herewith is a copy of Applicant's Second Preliminary Amendment as filed September 10, 2003 in the above-referenced application. It appears that the filed documents inadvertently failed to be considered in the Office Action mailed on February 18, 2004. Further attached herewith is the return receipt postcard from the Patent Office acknowledging receipt of the September 10, 2003 filing. **Please note the Change Of Correspondence Address filed concurrently on September 10, 2003.**

Based on the aforementioned telephonic communication, it is now Applicant's understanding that another Office Action will be mailed to Applicant upon Examiner's review of the Second Preliminary Amendment.

Respectfully submitted,

By: 
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FACSIMILE TRANSMITTAL SHEET

To: Examiner DAVID J. MCCROSKEY

FIRM/COMPANY: USPTO

FACSIMILE NUMBER: 703.746-8310

**CONFIRMATION
TELEPHONE:** 703.305-1331

FROM: Ruth Der, Paralegal

DIRECT DIAL: 415.371.2231

DATE: March 24, 2004

USER NUMBER: 2003

FILE NUMBER: Atty Docket No. R0367-00101, USSN 09/929,371

**TOTAL # OF PAGES:
(INCLUDING COVERSHEET)** 17

MESSAGE: Attached are *Communication*, copy of *Second Preliminary Amendment* and *Change Of Correspondence Address* as filed September 10, 2003, and copy of *return receipt postcard*.

NOTE: Original will not follow

CONFIDENTIALITY NOTICE

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